



General Assembly

January Session, 2011

Committee Bill No. 5921

LCO No. 4856

04856HB05921PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT AUTHORIZING THE CREATION OF LAND BANKS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) As used in this section
2 and sections 2 and 3 of this act:

3 (1) "Member municipality" means a municipality that is a member
4 of an authority established pursuant to section 2 of this act;

5 (2) "Authority" means a regional land bank authority established
6 pursuant to section 2 of this act and having the power to acquire,
7 assemble, dispose of and bring an action to quiet title to real property
8 for the purpose of advancing the long-term growth, planning and
9 economic development goals of the member municipalities; and

10 (3) "Board" means the managing body of the authority.

11 Sec. 2. (NEW) (*Effective October 1, 2011*) (a) Any two or more
12 municipalities within the same planning region of the state, as defined
13 by the Secretary of the Office of Policy and Management or said
14 secretary's designee pursuant to section 8-31a of the general statutes,

15 may, by concurrent resolutions duly adopted by the legislative bodies
16 of each municipality, establish a regional land bank authority. Such
17 authority shall be established under the name and style of "the ... land
18 bank authority", with some identifying phrase inserted. The area of
19 operation of such authority shall be coterminous with the boundaries
20 of its member municipalities.

21 (b) The managing body of the authority shall be a board that shall
22 be charged with carrying out the corporate purposes and powers of
23 the authority. The resolutions adopted pursuant to subsection (a) of
24 this section shall specify the number of representatives to be appointed
25 at any time for full terms of office. After such resolutions take effect,
26 the legislative bodies of the member municipalities shall appoint the
27 representatives to the land bank authority board. The qualification,
28 terms of office for the original representatives and their successors and
29 compensation, if any, of such representatives shall be prescribed by the
30 legislative body of each member municipality.

31 (c) After the creation of an authority pursuant to this section, any
32 other municipality in the same planning region as the member
33 municipalities may join the authority if (1) such municipality files with
34 the authority a resolution, duly adopted by its legislative body,
35 requesting to join such authority, and (2) the legislative body of each
36 member municipality duly adopts a resolution approving membership
37 of such municipality in the authority.

38 (d) A member municipality may withdraw from the authority if (1)
39 such member municipality has no outstanding debt or obligations for
40 which the authority has entered into a contract with respect to or
41 otherwise become legally obligated to provide payment for, (2) the
42 member municipality files a resolution, duly adopted by its legislative
43 body, approving the withdrawal, and (3) the other member
44 municipalities approve of such withdrawal by a resolution duly
45 adopted by the legislative body of each such member municipality.

46 (e) Upon appointment of its representatives, the board shall

47 organize, select its chairperson and vice-chairperson from among the
48 representatives on said board and proceed to consider those matters
49 that have been recommended to it by the member municipalities. The
50 board shall adopt bylaws for the conduct of its business. The board
51 may hold such meetings and public hearings as it deems desirable and
52 the powers of the authority shall be vested in the representatives
53 thereof in office from time to time. A majority of the entire authorized
54 number of representatives of the board shall constitute a quorum at
55 any meeting thereof. Actions may be taken, motions voted and
56 resolutions adopted by the board at any meeting of the board by vote
57 of a majority of the representatives present, unless in any case the
58 bylaws of the authority shall require a larger number for adoption.

59 (f) Any contract for sale, lease or other transfer of real property shall
60 be approved by the legislative bodies of the member municipalities
61 before its final approval by the authority.

62 Sec. 3. (NEW) (*Effective October 1, 2011*) Any regional land bank
63 authority established pursuant to section 2 of this act shall constitute a
64 public body corporate and politic, and in furtherance of its purpose
65 shall be deemed to be exercising an essential governmental function
66 and shall have the following powers:

67 (1) To adopt and have a common seal and to alter the same;

68 (2) To sue and be sued;

69 (3) To contract and be contracted with;

70 (4) To do and perform any acts and things authorized by the general
71 statutes under, through or by means of its board, officers, agents or
72 employees;

73 (5) To acquire, own, use, lease, operate and dispose of real property
74 and interests in real property;

75 (6) To foreclose municipal tax liens on behalf of any member

76 municipality in accordance with sections 12-181 to 12-195, inclusive, of
77 the general statutes, provided such foreclosure by the authority is
78 authorized by the legislative body of the member municipality;

79 (7) To acquire, hold, use and dispose of its income, revenues, funds
80 and moneys;

81 (8) To acquire, own, hire, use, operate and dispose of personal
82 property;

83 (9) To grant the use, by lease or otherwise, and to make charges for
84 the use of any property owned or controlled by it;

85 (10) To borrow money and to issue its negotiable bonds or notes and
86 to enter into any agreements with the purchasers or holders of such
87 bonds or notes or with others for their benefit;

88 (11) Subject to any agreement with bondholders or noteholders, to
89 invest moneys of the authority not required for immediate use,
90 including proceeds from the sale of any bonds or notes, in such
91 obligations, securities and other investments as the board of the
92 authority deems prudent and in accordance with the laws of the state
93 regarding the investment of public moneys;

94 (12) To procure insurance against any losses in connection with its
95 property, operations or assets in such amounts and from such insurers
96 as the board of the authority deems desirable;

97 (13) To mortgage any or all of its property or assets to secure the
98 payment of its bonds, notes or other obligations;

99 (14) To submit to arbitration any dispute with others or among its
100 members;

101 (15) To guarantee, in connection with any project, the punctual
102 payment of the principal of and interest on the indebtedness or other
103 contractual obligations of any of the participants in such project;

104 (16) To accept contributions, grants, gifts, donations, services or
105 other financial assistance from any governmental unit, public agency
106 or the private sector;

107 (17) To appoint, employ or retain attorneys, accountants,
108 architectural, engineering and financial consultants, assistants, agents
109 and other employees as it may deem necessary or desirable and to fix
110 their compensation; and

111 (18) To exercise all other powers not inconsistent with the state
112 Constitution or the United States Constitution, which may be
113 reasonably necessary or appropriate for or incidental to the
114 effectuation of its authorized purposes or to the exercise of any of the
115 foregoing powers, and generally to exercise in connection with its
116 property and affairs, and in connection with property within its
117 control, any and all powers which might be exercised by a natural
118 person or a private corporation in connection with similar property
119 and affairs.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>October 1, 2011</i>	New section

Statement of Purpose:

To authorize two or more municipalities to establish regional land banks.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. FLEXER, 44th Dist.

H.B. 5921